

**TOWN OF CONCORD
SELECT BOARD
MINUTES
July 6, 2020
4:00PM
VIDEO CONFERENCE CALL**

Pursuant to notice duly filed with the Town Clerk, the Concord Select Board convened in a meeting via video conference call on July 6, 2020 at 4:00pm.

Present were Michael Lawson, Chair; Linda Escobedo, Clerk; Terri Ackerman, Jane Hotchkiss, and Susan Bates. Also present were Stephen Crane, Town Manager; and Carmin Reiss, Town Moderator.

1. Call to Order

Select Board Chair Michael Lawson called the meeting to order at 4:00pm.

2. Consent Agenda

- Minutes to approve: May 21, 2020; May 28, 2020; June 2, 2020 Open Session; June 2, 2020 Executive Session (not to be released; June 10, 2020; June 12, 2020 Open Session; June 12, 2020 Executive Session (not to be released); June 16, 2020 Open Session; June 16, 2020 Executive Session (not to be released)
- Gift Acceptance
 - William & Maureen Kemeza \$510.00 Memorial Trees Account
 - His Presence Christian Fellowship Inc. \$1,000.00 Council on Aging Gift Account
 - Donation from David and Melissa Schoenfeld of 2003 Volkswagen Jetta, valued at \$3,267.00, to the Fire Department to be used for training

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to approve the consent agenda

Roll call vote

Mike Lawson: Aye
Terri Ackerman: Aye
Jane Hotchkiss: Aye
Linda Escobedo: Aye
Susan Bates: Aye

3. Town Manager Update

Mr. Crane reported that the NMI-Starmet Reuse Planning Committee is seeking feedback for a survey by Wednesday, July 8th.

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The Economic Vitality Committee is meeting on Wednesday, July 8th to continue to determine ways to support local businesses during this time. Mr. Crane anticipates he will have more to report on this matter next week.

The Beede Center is set to reopen under Phase Three of the Massachusetts Reopening Plan. The facility will be open by appointment only.

Mr. Crane sent out a message with the Town's Code Red system about ways to support local businesses. He reported that he received some feedback from residents that this was not an appropriate use of the Code Red system. Mr. Crane stated that he viewed it as an emergency notification system, with the secondary purpose of providing the community with important operational updates, and viewed this use of the system as a message regarding the ongoing economic emergency caused by the COVID-19 Pandemic. Mr. Crane thanked the community for their feedback and noted that he will make sure the focus of the Code Red system moving forward will be on municipal operations and for emergencies.

4. Chair's Remarks

Mr. Lawson reached out to the School Committee for input on the Middle School Stabilization Fund warrant article, and they were supportive of the Town moving this article at Town Meeting. The disposition of this will be voted on at a joint meeting of the Select Board and Finance Committee on July 13th.

There will a community event meeting with Town officials and organizations in Town on Wednesday, July 8th to discuss an outdoor community event, which was a recommendation from the Economic Vitality Committee.

On Tuesday, July 7th, there will be a preliminary Annual Town Meeting review meeting with representatives from the Select Board and Finance Committee, as well as the Town Moderator to discuss how to move forward with warrant articles going to Town Meeting. Mr. Lawson noted that recommendations to postpone certain article are not reflective of the Select Board or Finance Committee position on the article. It is reflective solely based on whether an article is viewed as essential.

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The Town and the Trustees of the Library have completed a draft library agreement. This will be reviewed at our July 13th Select Board meeting.

The Select Board will begin review of warrant articles for Town Meeting on July 20th.

Mr. Lawson read the following statement regarding the ongoing Estabrook Road litigation:

“As I have previously reported, the parties to the litigation had a telephone status conference with the judge to discuss the case in mid-May. During that call, the parties discussed the defendants’ closure of the southern entrance to the unpaved portion of the Estabrook Road. The judge recognized that the Town might be forced to seek a preliminary injunction requiring the defendants to reopen the road pending trial, but urged the parties to first try to work it out. The Town has tried to work it out. We proposed a public meeting with the defendants to discuss the matter, and as you will recall, certain defendants wanted a private meeting. The Select Board then voted to have Ms. Ackerman and myself attend the meeting on behalf of the board, and we did finally meet with the defendants in mid-June to begin discussions about reopening the road. Unfortunately, the Town’s conversations with most of the defendants have since concluded without resolution, although Mr. and Mrs. Rasmussen have expressed interest in continuing the discussions. I am unable to share any details of those discussions because the defendants asked that they be kept confidential. In light of the stalemate with most of the defendants, the Select Board had no alternative other than to file a motion for a preliminary injunction with the land court in order to preserve the public’s right of access to the southern unpaved portion of the road while the litigation is pending. The motion was filed with the court on July 3rd. we also asked the court for a status conference to explore options for a prompt and final resolution of the lawsuit.”

5. Discussion of Ag Day

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Happy Goethert of 606 Old Bedford Road, representative of the Agriculture Committee, attended the meeting to express the committee's desire to still hold Ag Day in September as usual. Town Manager Stephen Crane stated precautions can be taken for this event to conform with the state's guidelines. The board and Town Manager recommended that Ms. Goethert meet with the Economic Vitality Committee to discuss how this event can proceed in a way that benefits the businesses downtown.

6. The Ability of Alexa Anderson to participate in Concord Public School Deliberation without voting Authorization

Ms. Anderson is filling an unexpired term of a member of the School Committee who resigned. Last week, the School Committee voted to allow her to participate without voting. Since it is an unexpired term that runs through the eventual Town Meeting, this matter needs to be affirmed by the Select Board.

The board agreed that it made sense to allow Ms. Anderson to participate in the School Committee meetings.

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED to authorize Alexa Anderson to participate in Concord Public School deliberations without voting authorization until after Town Meeting.

Roll call vote

Mike Lawson: Aye
Terri Ackerman: Aye
Jane Hotchkiss: Aye
Linda Escobedo: Aye
Susan Bates: Aye

7. Annual Town Meeting Update

Town Moderator Carmin Reiss attended. The Town was previously anticipating that Saturday, September 12th would be the date for the Town Meeting. Since then, it was brought to the Town's attention that this would have a disenfranchising impact on the Jewish community in Town. Ms. Reiss stated that the goal is to make Town Meeting as inclusive and safe as possible.

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The decision was made to move Town Meeting to September 13th during the afternoon to accommodate religious services that take place during the morning, and concerns regarding mosquitos in the evening. The meeting will be held at Doug White Field.

Ms. Reiss stated that Town Meeting will be stripped down to essential items in light of the logistical and public health challenges faced during this time. Remarks from the floor will be limited to one minute. Individuals presenting articles are encouraged to be as concise as possible. Public hearings from boards and committees on warrant articles will take place before Town Meeting via Zoom, and these will be recorded and posted for those who do not have the chance to view them live.

8. Committee Nominations: Nathaniel Welch of 141 Stow Street to the Bruce Freeman Rail Trail Advisory Committee for a term to begin August 1, 2020, set to expire April 30, 2023.

9. Committee Appointments:

Upon a motion duly made and seconded, it was UNANIMOUSLY

VOTED to appoint Beth Kelly of 39 White Avenue to the White Pond Advisory Committee for a term to expire April 30, 2023. Jennifer McGonigle of 31 Highland Street to the Economic Vitality Committee for a term to expire April 30, 2023. Nancy Stone of 70 Beharrell Street to the Bruce Freeman Rail Trail Advisory Committee for a term to begin on the first day of the month following the 2020 Annual Town Meeting, to expire on April 30, 2023.

Roll call vote

Mike Lawson: Aye
Terri Ackerman: Aye
Jane Hotchkiss: Aye
Linda Escobedo: Aye
Susan Bates: Aye

10. Committee Liaison Reports

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Ms. Bates attended the Trails Committee, who met for the first time since March and updated the list of trails they oversee. The Cemetery Committee met for the first time since March as well, and they discussed the goal of digitizing and scanning all cemetery documents to be available electronically. The Friends of Sleepy Hollow are ordering tree identification signs, and will label 26 species of trees in the cemetery.

Ms. Ackerman attended the Historic Districts Commission, where they discussed access issues for individuals with disabilities at the Library. There may be a joint meeting of the HDC and the Commission on Disabilities moving forward regarding this issue.

Ms. Escobedo attended the Concord Housing Authority meeting, and they are working on their search for a new Executive Director. An architect they were working with on the design aspect of a Commonwealth Avenue property came in with a much higher bid than they had expected.

Ms. Hotchkiss attended the Natural Resources Commission meeting, where they discussed the Fenn School application for a canoe launch on the river, and concerns about the potential use of the area if a dock is in fact launched.

Mr. Lawson attended the School Committee, where they had a budget update and provided a review of the Superintendent.

11. Miscellaneous Correspondence

There was not any correspondence discussed.

12. Public Comments

There were no public comments.

13. Adjourn

Upon a motion duly made and seconded, it was UNANIMOUSLY
VOTED: to adjourn

Roll call vote

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Mike Lawson: Aye
Terri Ackerman: Aye
Jane Hotchkiss: Aye
Linda Escobedo: Aye
Susan Bates: Aye

Minuteman Media Network Coverage:

<https://www.youtube.com/watch?v=Gff2Fimfmr4>

Meeting Materials:

<https://concordma.gov/DocumentCenter/View/25344/July-6-SB-Packet>